



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT  
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AUG 20 2002

Applicants: Nicosia et al.

Serial No.: 09/463,098 Case No.: IT0019P

Art Unit: 1627

Filed: May 15, 2000

Examiner: BHATTI, T.

For: MIMOTOPES OF HYPERVARIABLE  
REGION 1 OF THE E2 GLYCOPROTEIN OF  
HCV AND USES THEREOF

COMMUNICATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants request that the references cited on the enclosed IDS Form be made of record. The accession numbers cited on the IDS Form are provided in the application on pages 73-75. For those accessions numbers having a VRL date after the priority date of the present application, applicants have also cited and provided the underlying reference.

37 C.F.R. 1.8 Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date appearing below.

MERCK & CO., INC.

BY Shellen Ker

Date 8/12/02

Serial No.: 09/463,098

Case No.: IT0019P

Please charge deposit account 13-2755 for fees due in connection with this communication. If any time extensions are needed for the timely filing of the present communication, Applicants petition for such extensions and authorize the charging of deposit account 13-2755 for the appropriate fees.

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Respectfully submitted,

By Sheldon Heber  
Sheldon O. Heber  
Reg. No. 38,179  
Attorney for Applicants

Merck & Co., Inc.  
P.O. Box 2000  
Rahway, NJ 07065-0907  
(732) 594-1958

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Nicosia, A. et al.

Serial No. 09/463,098

Filed: May 15, 2000

For: MIMOTOPES OF HYPERVARIABLE REGION  
1 OF THE E2 GLYCOPROTEIN OF HCV AND  
USES THEREOF

Art Unit: 1627

Examiner: Bhatti, T.

RECEIVED  
JULY 20 2002  
U.S. PATENT & TRADEMARK OFFICE  
WASH. D.C.  
1627

Assistant Commissioner for Patents  
Washington, D.C. 20231INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

08/19/2002 SHINASS1 00000061 132755 09463098  
01 FC:126 180.00 CH

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MERCK &amp; CO., INC.

By Blelly Ha Date 8/12/02



## INFORMATION DISCLOSURE STATEMENT

4. Except for Cite Nos. \_\_\_\_\_, copies of the references listed on the attached form are not enclosed

because they have been submitted to or cited by the Office in a related application as follows:

RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

upon which the instant application relies for an earlier filing date under 35 U.S.C. 120. Therefore, pursuant to 37 C.F.R. 1.98(d), copies of these references are not enclosed herewith. If this is inconvenient, additional copies will be submitted upon request.

5. In accordance with 37 C.F.R. 1.97, (check one)

- the attached information is filed within three months of the filing date of the captioned case.
- the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sheldon O. Heber".

By: Sheldon O. Heber

Attorney \_\_\_\_\_ For Applicant(s)

Reg. No. 38,179

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-1958

Date: August 12, 2002

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TECH CENTER 1600  
AUG 20 2002

Application Number: 09/463,098  
Filing Date: 05/15/2000  
First Named Inventor: Nicosia, A. et al.  
Group Art Unit: 1627  
Examiner Name: Bhatti, T.  
Attorney Docket Number: IT0019P



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### FIRST CLASS MAIL CERTIFICATE

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON THE DATE APPEARING BELOW.

MERCK & CO., INC.

MAILED BY

DATE 8/12/02



# FEE TRANSMITTAL

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

\$180

Complete if Known

Application Number	09/463,098
Filing Date	May 15, 2000
First Named Inventor	Nicosia, A. et al.
Examiner Name	Bhatti, T.
Group Art Unit	1627
Attorney Docket Number	IT0019P

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SEARCH CENTER 1600/2100

## METHOD OF PAYMENT (Check one)

Deposit Account

Deposit Account Number

13-2755

Deposit Account Name

Merck & Co., Inc.

The Commissioner is authorized to:

Charge fee(s) indicated below  Credit any overpayments

Charge any additional fee(s) during the pendency of this application

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	Utility filing fee	
106	330	Design filing fee	
108	740	Reissue filing fee	
114	160	Provisional filing fee	
SUBTOTAL(1)			\$0

### 2. EXTRA CLAIM FEES

Total Claims	-	Extra	Fee from below	Fee Paid
<input type="text"/>	-	20	** = <input type="text"/> 0	x \$18 = <input type="text"/> 0
<input type="text"/>	-	3	** = <input type="text"/> 0	x \$84 = <input type="text"/> 0
Multiple Dependent Claims			\$280 = <input type="text"/>	

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code	Fee (\$)	Fee Description
103	18	Claims in excess of 20
102	84	Independent claims in excess of 3
104	280	Multiple dependent claim, if not paid
109	84	**Reissue independent claims over original patent
110	18	**Reissue claims in excess of 20 and over original patent
SUBTOTAL(2)		

\$0

### 3. ADDITIONAL FEES

Large Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	Surcharge - late filing fee or oath	
147	2,520	For filing a request for <i>ex parte</i> reexamination	
115	110	Extension for reply within first month	
116	400	Extension for reply within second month	
117	920	Extension for reply within third month	
118	1,440	Extension for reply within fourth month	
128	1,960	Extension for reply within fifth month	
119	320	Notice of Appeal	
120	320	Filing a brief in support of an appeal	
121	280	Request for oral hearing	
140	110	Petition to revive - unavoidable	
141	1,280	Petition to revive - unintentional	
142	1,280	Utility issue fee (or reissue)	
143	460	Design issue fee	
122	130	Petitions to the Commissioner	
123	50	Processing fee under 37 CFR 1.17(q)	
126	180	Submission of Information Disclosure Statement	180
581	40	Recording each patent assignment per property (times number of properties)	
146	740	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	Request for Continued Examination (RCE)	
Other fee (specify) —			
Other fee (specify) —			
SUBTOTAL(3)			\$180

## SUBMITTED BY

## Complete (if applicable)

Typed or Printed Name	Sheldon O. Heber			Reg. Number	38,179
Signature		Date	08/12/2002	Deposit Account User ID	